

REMARKS

Claims 33-48 are pending.

Rejections under 35 USC § 112, first paragraph

Claims 33-48 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner states that the only reference to the word “array” was found in column 16 of said U.S. patent and it is directed to an “array of analytes” rather than an “array of electrodes”. Applicant respectfully disagrees.

Applicant respectfully directs the Examiner’s attention to column 16, lines 26-31 which states the following:

The conformation of the electrode will vary with the detection method used. For example, **planar electrodes** may be preferred for optical detection methods, or when **arrays** are made, thus requiring addressable locations for both synthesis and detection. (emphasis added)

Applicant respectfully submits that this passage contemplates a plurality of electrodes that can be arranged in an array. Withdrawal of the rejection of claims 33-48 under 35 U.S.C. § 112, first paragraph, is requested.

Rejections Under 35 U.S.C. § 102(e)

Claims 33-48 are rejected under 35 U.S.C. § 102(e) as being anticipated by Duong et al., U.S. Patent No., 6,740,518. Specifically, the Examiner states that Duong et al., is a 102(e) reference because the Examiner could not find support for the claimed subject matter in the parent applications, and thus the earliest priority date for the present invention is its actual filing date.

As pointed out above, support for an array of electrodes is found in the parent applications. Thus, the priority date for the present invention is June 12, 1997. As the earliest

priority date for Duong et al., is September 17, 1999, Applicant respectfully submits that Duong et al. is not a 102(e) reference. Applicant requests withdrawal of the rejection of claims 33-48 under 35 U.S.C. § 102(e).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

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